

**REMARKS**

Claims 1-41 are currently pending in the application. Claims 1-41 were rejected. Claims 33-35 have been amended.

As an initial matter, claims 33-35 were amended to correctly recite a “method” (rather than a “computer system”) in agreement with the claims from which they depend. No new matter is introduced by these amendments.

The Examiner requested a drawing correction which includes the “Prior Art” legend in Figs. 1 and 2. Corrected drawings including the requested legend have been submitted herewith.

The Examiner rejected claims 1-13, 15, 16, 18-28, 30, 31 and 33-41 under 35 U.S.C. 103(a) as being unpatentable over Applicant’s admitted prior art (AAPA) in view of U.S. Patent Publication No. US 2001/0037435 A1 (Van Doren). The Examiner also rejected claims 14, 17, 29 and 32 over AAPA and Van Doren and further in view of U.S. Patent No. 6,188,759 (Lorenzen). The rejections are respectfully traversed.

The Examiner referred to the “greedy” discovery algorithm described beginning at page 2, line 20, of the present application as corresponding to the “previously specified partitioning schema” recited in claims 1, 23, 36 and 39. The Applicants respectfully disagree. The greedy algorithm cannot be characterized as a “previously specified partitioning schema” in that, as described in the Background of the Invention, the “schema” of the system that results from the operation of this algorithm is not determined until *after* all of the available resources have been identified and the routing tables generated.

Indeed, the present application clearly distinguishes the “previously specified partitioning schema” recited in the claims from the greedy discovery algorithm described in the Background of the Invention. For example, at page 7, lines 17-19, the present application points out that “the service processor of the present invention has the intelligence to partition system resources according to a previously specified partitioning schema *as opposed* to the use of the “greedy”

algorithm described above.” Emphasis added.

Again, at page 13, lines 3-8, the present application points out that “[i]n contrast to the “greedy” algorithm contemplated by the designers of the HT infrastructure *which operates without a priori knowledge of the eventual system configuration*, service processor 312 facilitates the configuration of server 300 by generating and/or dynamically altering the routing tables associated with all or some of processors 302a-302d (and I/O switch 310) according to a previously specified partitioning schema.” Emphasis added.

Thus, because the greedy algorithm described in the Background of the Invention does not operate with a priori knowledge of the eventual system configuration” it cannot, by definition, be characterized as operating according to a “previously specified partitioning schema.” In view of the foregoing, the rejection of claim 1 should be withdrawn. In addition, the rejection of claims 23, 36 and 39, and all of the claims dependent on claims 1, 23, 36 and 39 should be withdrawn for at least the reasons discussed.

Moreover, the Applicants object to the Examiner’s combination of Van Doren with the description from the Background of the Invention. Not only is the motivation to combine lacking, but the partitioning technique of Van Doren is not even compatible with the system described with reference to Fig. 2 of the present application. That is, the hierarchical switch fabric which interconnects the processors in Van Doren is operable to directly route packets from every one of the nodes to every other one of the nodes (see the description of HS 400 with reference to Fig. 4 beginning in paragraph [0045]). In addition, it is clear that regardless of the number and nature of the partitions described in Van Doren the hierarchical switch fabric must still operate as a shared resource among the various partitions.

By contrast, the point-to-point communication links of the system described in the Background of the Invention of the present application are *dedicated* links between the processing nodes which, in some cases, makes it necessary for indirect transmissions between

two processing nodes (i.e., via an intermediate processing node).

Because the partitioning technique described in Van Doren depends on the hierarchical switch fabric which directly connects any one of the nodes to any other one of the nodes, the technique would have to be significantly altered to be operable in the kind of point-to-point infrastructure described in the present application with reference to Fig. 2. Van Doren does not contain any teachings as to how this might be accomplished, or even any suggestions that such a result would be desirable. Therefore, because the technique taught by the Van Doren reference is not compatible in its disclosed form with the system shown in Fig. 2 of the present application, the references may not be properly combined. In view of the foregoing, all of the rejections should be withdrawn.

In view of the foregoing, Applicants believe all claims now pending in this application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (510) 843-6200.

Respectfully submitted,  
BEYER WEAVER & THOMAS, LLP

A handwritten signature in dark ink, appearing to read "Joseph M. Villeneuve", with a long horizontal flourish extending to the right.

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## **Appendix**

This Appendix includes two replacement drawing sheets including amended Figs. 1 and 2. Also included are annotated sheets indicating the changes made.

**In the Drawings:**

Please replace the originally submitted drawings sheets containing Figs. 1 and 2 with the replacement sheets containing new Figs. 1 and 2 in the attached Appendix. As requested by the Examiner, the legend "Prior Art" has been introduced into each of these figures. Annotated sheets showing the changes made are also included in the attached Appendix. No new matter is introduced by these amendments.

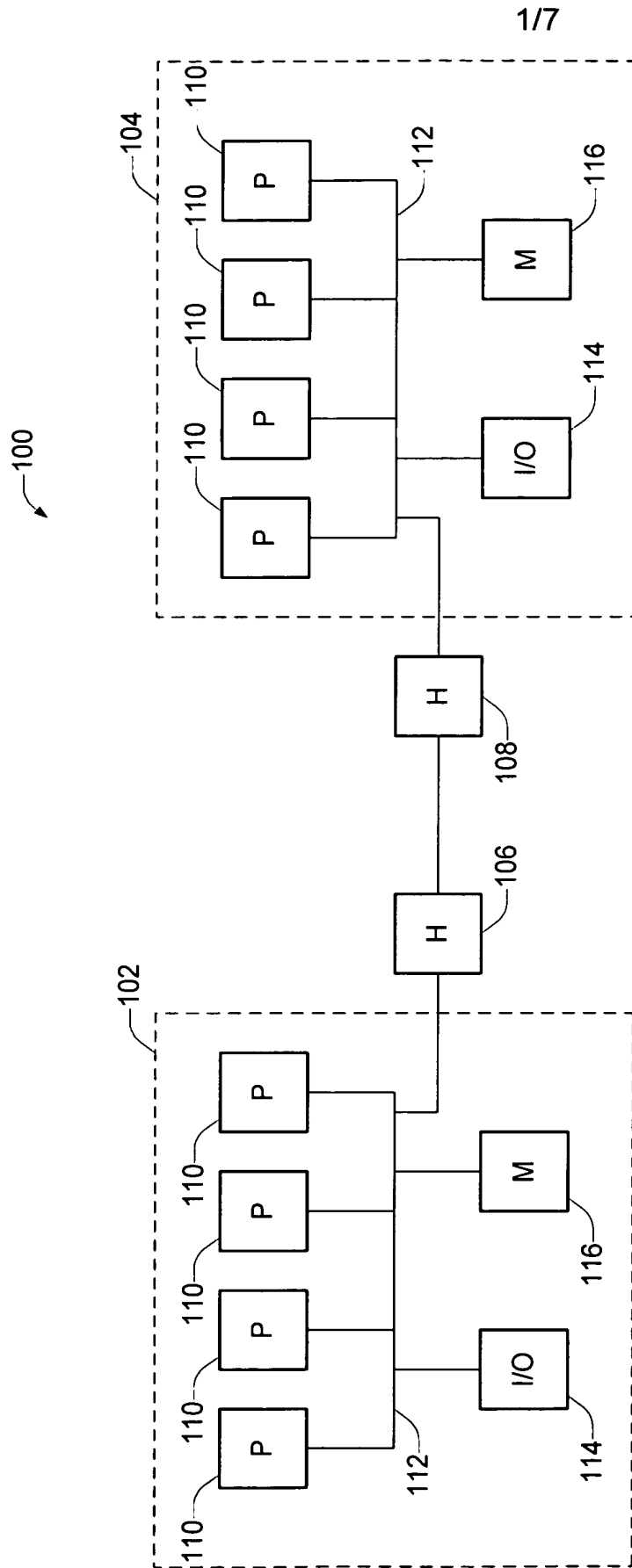


Fig. 1  
 (Prior Art)

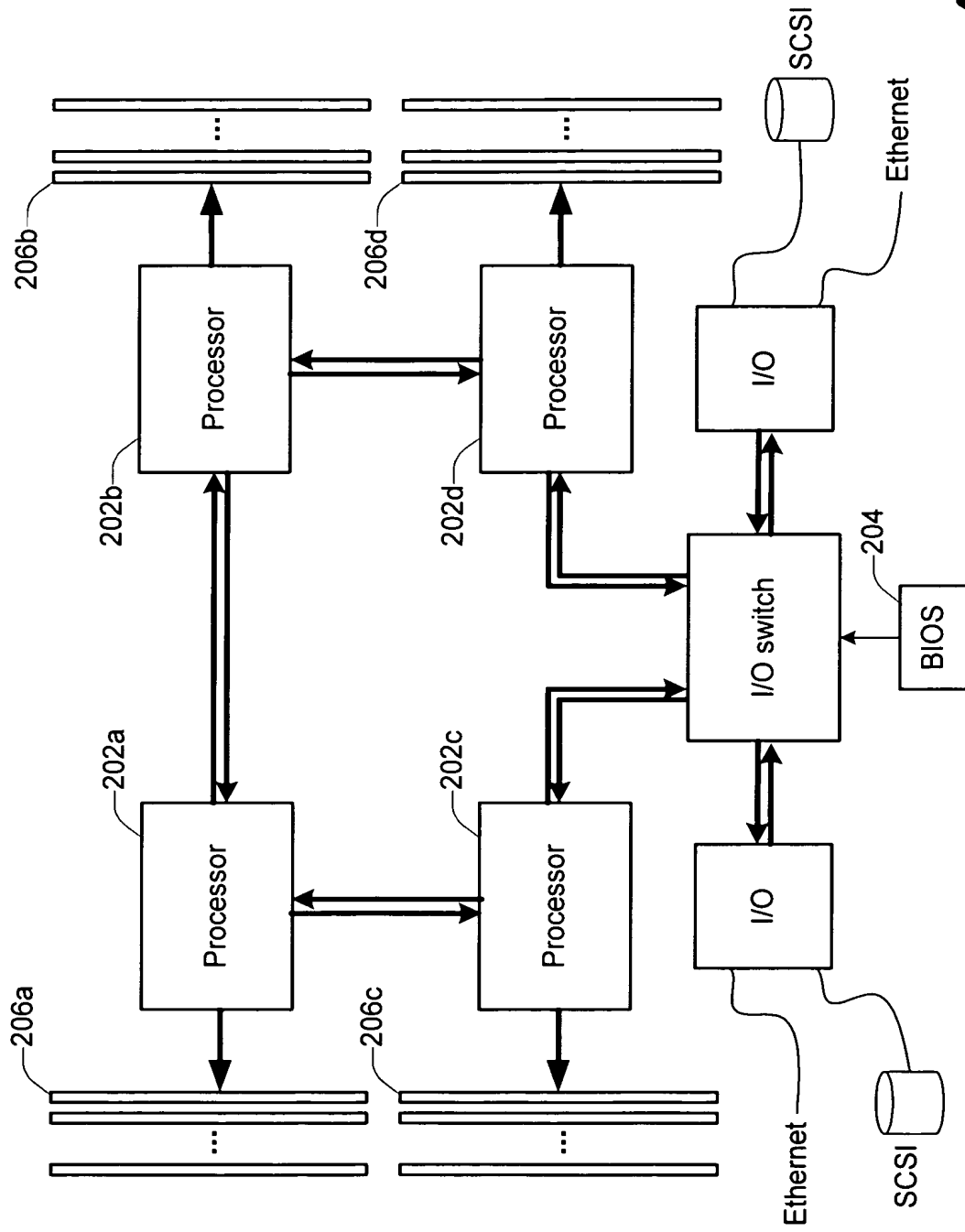


Fig. 2  
Prior Art